policy justification required by that section shall include the
information specified in subsection (g)(2)(B) of this section.
"(j) CRIMINAL PENALTY.—Any person who willfully violates this
section shall be fined for each violation not more than $1,000,000.
imprisoned not more than 10 years, or both.
"(k) CIVIL PENALTIES; ENFORCEMENT.—In the enforcement of this
section, the President is authorized to exercise the same powers
concerning violations and enforcement which are conferred upon
departments, agencies, and officials by sections 11(c), 11(e), 11(g), and
12(a) of the Export Administration Act of 1979 (subject to the same
terms and conditions as are applicable to such powers under that
Act), except that, notwithstanding section 11(c) of that Act, the civil
penalty for each violation of this section may not exceed $500,000.
"(l) DEFINITIONS.—As used in this section—
"(1) the term 'munitions item' means any item enumerated on
the United States Munitions list (without regard to whether the
item is imported into or exported from the United States);
"(2) the term 'United States', when used geographically,
means the several States, the District of Columbia, the
Commonwealth of Puerto Rico, the Commonwealth of the
Northern Mariana Islands, and any territory or possession of
the United States; and
"(3) the term 'United States person' means—
"(A) any citizen or permanent resident alien of the United States;
"(B) any sole proprietorship, partnership, company,
association, or corporation having its principal place of
business within the United States or organized under the
laws of the United States, any State, the District of Colum-
bia, the Commonwealth of Puerto Rico, the Commonwealth
of the Northern Mariana Islands, or any territory or posses-
sion of the United States;
"(C) any other person with respect to that person's
actions while in the United States; and
"(D) to the extent provided in regulations issued by the
Secretary of State, any person that is not described in
subparagraph (A), (B), or (C) but—
"(i) is a foreign subsidiary or affiliate of a United
States person described in subparagraph (B) and is

controlled in fact by that United States person (as determined in accordance with those regulations), or

"(ii) is otherwise subject to the jurisdiction of the United States.

with respect to that person's actions while outside the United States/*.

(b) CONFORMING AMENDMENT.—Section 3(f) of the Arms Export Control Act (22 U.S.C. 2753(f)) is repealed.

SEC. 3. CONSIDERATIONS IN ISSUANCE OF ARMS EXPORT LICENSES AND IN ARMS SALES.

(a) EXPORT LICENSES.—Section 38(a)(2) of the Arms Export Control Act (22 U.S.C. 2778) is amended by inserting "support international terrorism/" after "arms race,".

(b) ARMS SALES.—Section 36(b)(l)(D) of that Act (22 U.S.C. 2776(bXD(D)) is amended—

(1) by redesignating clauses (ii) through (iv) as clauses (iii) through (v), respectively; and